

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

ROBERT KOLINEK, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

WALGREEN CO., an Illinois corporation,

Defendant.

Case. No. 13-cv-04806

Hon. Matthew F. Kennelly

**MOTION FOR LEAVE TO FILE RESPONSE TO OBJECTIONS AND REPLY IN
SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
WITH EXCESS PAGES, *INSTANTER***

Pursuant to Local Rule 7.1, Plaintiff Robert Kolinek (“Kolinek”) hereby respectfully requests that the Court grant him leave to file a memorandum in response to the objections and replies of Objectors Melinda Franz, Gleith Cozby and Rendee Bullard in excess of the Court’s fifteen-page (15) limit, *instante*. In support of the instant motion, Kolinek states as follows:

1. By Order dated August 28, 2015, the Court set September 8, 2015 as the deadline for Plaintiff to file his responses to the replies of Objectors Franz, Cozby and Bullard. (Dkt. 175.)
2. However, in order to adequately address the raised by the Objectors in their separate reply briefs—which are a combined total of twenty-four (24) pages of substance—Plaintiff’s briefing must exceed the Court’s fifteen-page limit.¹
3. Specifically, Plaintiff’s response brief includes a total of twenty-two (22) pages of substance.

¹ For the sake of efficiency and ease of review, Plaintiff intends to file a combined response brief that addresses each of the arguments raised by two replies filed by the Objectors. Of course, if Plaintiff were to file separate responses to each of the two replies, he would be entitled to thirty (30) total pages of briefing, which is more than he seeks leave to file here.

4. Prior to filing the instant motion, Plaintiff's counsel conferred with counsel for Defendant Walgreen Co., and is authorized to state that Defendant has no opposition to the relief requested herein.

5. Good cause exists to grant the instant motion and the relief requested herein is not sought for any improper purpose.

6. Attached hereto as Exhibit 1 is a true and accurate copy of Plaintiff's Response to Objections and Reply in Support of Motion for Final Approval of Class Action Settlement.

WHEREFORE, Plaintiff Robert Kolinek, on behalf of himself and the Settlement Class, respectfully requests that the Court enter an Order (i) granting him leave to file his Response to Objections and Reply in Support of Motion for Final Approval of Class Action Settlement, the substance of which shall not exceed twenty-two (22) pages, *instantly*, and (ii) providing such other and further relief as the Court deems reasonable and just.

Respectfully submitted,

ROBERT KOLINEK, individually and on behalf
of the Settlement Class,

Dated: September 8, 2015

By: /s/ Rafey S. Balabanian
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Rafey S. Balabanian, an attorney, hereby certify that on September 8, 2015, I served the above and foregoing ***Motion for Leave to File Response to Objections and Reply in Support of Motion for Final Approval of Class Action Settlement with Excess Pages, Instantly***, by causing a true and accurate copy of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system, on this the 8th day of September 2015.

/s/ Rafey S. Balabanian _____